

1 STEVEN G. ZIEFF (SBN: 84222)
Email: sgz@rezlaw.com
2 CHAYA M. MANDELBAUM (SBN: 239084)
Email: cmm@rezlaw.com
3 WILLIAM P. MCELHINNY (SBN: 296259)
Email: wpm@rezlaw.com
4 RUDY, EXELROD, ZIEFF & LOWE, L.L.P.
5 351 California Street, Suite 700
San Francisco, CA 94104
6 Telephone: (415) 434-9800
Facsimile: (415) 434-0513
7

8 Attorneys for Plaintiffs,
JULIAN FRASER, *et al.*
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 JULIAN FRASER, JOSEPH WUCHER,
IRENE DAMSKY, KIM ZAIA, and CHRIS
14 JACKSON as individuals and in their
representative capacity,
15

Case No. 3:17-cv-03702-EMC

16 Plaintiffs,
17 v.
18 NATIONWIDE MUTUAL INSURANCE
COMPANY, a corporation,
19

20 Defendant. / Complaint Filed: June 28, 2017

JOINT STIPULATION AND [PROPOSED]
ORDER FOR LEAVE TO FILE FIRST
AMENDED COMPLAINT

1 Plaintiffs JULIAN FRASER, JOSEPH WUCHER, IRENE DAMSKY, KIM ZAIA, and
2 CHRIS JACKSON (“Plaintiffs”) and Defendant NATIONWIDE MUTUAL INSURANCE
3 COMPANY (“Defendant”), by and through their attorneys of record, hereby stipulate and agree
4 that Plaintiffs shall have leave to file a First Amended Complaint in this lawsuit for purposes of
5 alleging exhaustion of the administrative requirements pursuant to the Private Attorney General’s
6 Act (“PAGA”) and adding an additional Defendant, Scottsdale Insurance Company, dba
7 Nationwide E&S/Specialty. Defendant reserves its right to assert any and all affirmative
8 defenses applicable to Plaintiffs’ First Amended Complaint. A copy of the Proposed First
9 Amended Complaint is attached hereto as Exhibit A.

10
11 DATED: September 25, 2017 RUDY, EXELROD, ZIEFF & LOWE, LLP

12 By: /s/ Chaya M. Mandelbaum
13 CHAYA M. MANDELBAUM
14 Attorneys for Plaintiffs

15 DATED: September 25, 2017 LITTLER MENDELSON

16 By: /s/ John S. Hong
17 JOHN S. HONG
18 Attorneys for Defendant

19
20 **ECF ATTESTATION**

21 Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this
22 document has been obtained from each of the other signatories thereto.

23 Executed this 25th day of June, 2017, at San Francisco, California.

24 By: /s/ Chaya M. Mandelbaum
25 CHAYA M. MANDELBAUM

26 ///

27 ///

28 ///

[PROPOSED] ORDER

For good cause shown, Plaintiffs' request for leave to file the attached proposed First Amended Complaint is hereby GRANTED. Plaintiffs shall file the First Amended Complaint.

IT IS SO ORDERED.

DATED: 9 / 26, 2017

